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very rare 171

Remarks on the Game Laws, &c.

PRICE SIX-PENCE.

The Sentiments in this Pamphlet are interesting to

TRADESMEN AND FARMERS.

Remarks on the Game Laws, &c.

WILLIAM E. L. TRENCH

The Game Laws of the Kingdom of Ireland, as amended by the Act of the 10th Geo. IV. c. 61.

TRADESMEN AND FARMERS.

POETICAL REMARKS

ON THE

Game Laws:

SHEWING HOW FAR THEY ARE

BADGES OF SLAVERY,

AND INCONSISTENT WITH

REAL LIBERTY.

WRITTEN, WITH A VIEW TO DISSEMINATE
USEFUL KNOWLEDGE,

BY A LOVER OF FREEDOM.

The God of Nature never thus design'd,
His Bounties—to a Few—should be confin'd.
Hence Lords, Knights, Lordlings, and a num'rous Train
Of petty Nimrods, in their sev'ral Spheres,
Are mere Usurpers of the Common Rights!

----- But here observe!
The Friends of Freedom are Sedition's Foes!

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POLITICAL REMARKS

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Gains Laws:

SEEKING HOW FAR THEY ARE

BADGES OF SLAVERY

AND INCOMPATIBLE WITH

REAL LIBERTY

WRITTEN WITH A VIEW TO DISSEMINATE

USEFUL KNOWLEDGE

BY A LOVER OF FREEDOM

The God of Nature never gives the
 his nature—a law which is
 the law of Nature, and a law of
 Of the human mind, the law of
 the human mind, the law of
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 the human mind, the law of

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Remarks on the Game Laws, &c.

THE Guardian Genius of our Isle, 'tis said,
Is LIBERTY! Chief blessing Heav'n bestows
On Man: the very name of which inspires
New life and vigour in the free-born Soul.
If *nom'nal* Freedom then hath such a Force,
To make th' immortal Spark, in mortal man,
Burn bright and clear; what language can describe
Th' Effects produc'd where Liberty is *real*?
Pervading all the ranks in social life;
Granting, to all, Community of Rights;
Conferring Favours with an equal hand;
Proclaiming, to the Whole, that Nature's gifts
Were meant to be accessible to all,
As is the vital air which all respire,
Not meanly kept to please a fav'rite *Few*.

This, this is **LIBERTY!** Can we then say,
 Examining ourselves by such a Test,
 That We are *Freemen*? Men who do not bear
 The galling yoke of Laws tyrannical?
 If no coercion on the tongue be us'd,
 But Truth be utter'd free from all disguise,
 'Twill then appear, to every candid mind,
 That Words and Facts are oft at Variance seen
 In Public as in Private life, and oft
 Delusive Terms, like Opiates, lull the Mind
 To such a torpid and inactive State,
 That e'en a *Nation* shall become the Slaves
 Of *arbitrary* Pow'r, nor once complain
 That *Fraud* and *Force* have robb'd them of their Rights.
 Thus while our Senators aloud declaim,
 Extolling, in high-sounding Phrase, our Laws,
 Our Freedom, and our Form of Government,
 (As Paradise compar'd with *other* States,
 Where *Regal* despots make their Will the Law,
 Or Anarchy prevails through all the Land

And fiercer *Democrats* bear savage *Rule*)
 Charm'd by the fascinating Pow'rs of Speech,
 The Shackles we've long worn, instead of Chains
 Of Infamy, appear as Ornaments,
 As wholesome Regulations in the State,
 Adapted to promote the Public Good ;
 And, like the Echo faithful to the Voice,
 We then assert that we are *free*. We are
 In some Respects, in Others we are Slaves.
 Not only Slaves (as are the World at large)
 To various Lusts which agitate the Soul,
 (The greatest bondage this which Man can know!)
 But,—which our Brav'ry subjects to Reproach,
 Slaves to the Mandates of *mere* Fellow-men.
 The *Principle* of Slav'ry is the same
 In Britain as on Afric's sun-burnt coast;
 It differs only in *Degree*. Though here
 We barter not in Human Flesh, yet here
 We find that pow'r, is center'd in a Few,
 To trample on the Common rights of Man.

Men may be reckon'd *positively* Slaves,
 And *negatively* so. With Goads and Whips
 To be *compell'd* to toil, the British Laws
 Do not permit on British Land : such Deeds
 No Man hath Right to exercise on Man,
 Whose Freedom is not forfeited by Crimes :
 Though, to our Country's Shame, she yet connives
 At Acts of Cruelty on *Indian* Shores :
 Such that must make the feeling Heart lament
 (In whatsoever Clime it dwells) the Fate
 Of those poor wretches, who, by ruthless men,
 Are bought and sold, like Cattle at a Fair :
 Torn from their Families, their wives, and friends,
 Are doom'd to drag a miserable Life,
 Hard work, hard Fare, and galling Chains. And WHY ?
 To serve the fordid English Planter's Views
 In gaining wealth ! WHAT EVIL HAVE THEY DONE ?
 WHAT GUILT, that hath procur'd such Punishment ?
 Their only crime is that their Skin's *not white* !
 If Vengeance, as 'tis said, belongs to God,

And guilty Nations, soon or late, shall feel
 Infliction dire for all their Public Sins,
 Then may the British People justly dread
 Some signal Judgment shall o'ertake their Land,
 For not repealing such inhuman Laws
 As those which estimate the price of Man,
 At least which legalize *Commercial* Guilt.
 Now though *we* are not Slaves in *this* degree,
 Though not the meanest of Britannia's Sons
 Need fear such Treatment as the Negroes feel,
 Nor actual bondage know against his Will;
 (For 'tis not Slav'ry where the Mind consents!)
 Still we have Men so *privileg'd* by Law
 That they can put the *Fetters of Controll*
 Upon the Hands and Feet of other Men,
Debarring them the Use thereof, in Acts
 Where neither Justice nor Morality
 Can one objection raise: yea 'tis a Truth,
 Which no assertion can refute, that We,
 The valiant Subjects of Old England's Realm,

We, whom no foreign Foes could e'er subdue,
 Nor ever will while Hand and Heart we join,
 And each Man thinks the Common Cause his own,
 We meanly crouch to Tyrants bred at home,
 The *Creatures* and *Dependants* of the STATE;
 Whose Frowns and Threats our servile Minds deject,
 Whose Smiles and Favours we, to gain, will cringe;
 Whilst *they* look down with insolent contempt,
 And with restrictive Pow'r confine our *Deeds*:
 Nay! scarce allow the Privilege to *speak*,
 Lest, while our various Grievances we state,
 The Public from their Lethargy be rous'd,
 And, with the noble Dignity of Men,
 Declare they *will* be free. But here observe!
 The Friends of *Freedom* are Sedition's Foes!
 They never wish to hoist Rebellion's Flag
 Against their lawful King; nor seek Redress
 By Force of Arms, when Reason can prevail.
 They're well convinc'd that *Monarchy is best*?
 Not Monarchy that's *absolute*; but such

As Ours: a Monarchy so wisely fram'd,
 That King, Lords, Commons, make one perfect Whole;
 And were the Constitution so preserv'd,
 In purity, as was at first design'd,
 Or as,—right Reason will admit,—it *ought*,
 The voice of Faction then must soon grow mute,
 And popular complaints must quickly cease;
 Because the sev'ral Grounds for Discontent,
 Which may from Time to time arise, when known,
 Would be attended to with anxious Care,
 And, soon as Prudence would permit, redress'd.
 In purest States, *some* Evils may exist;
 And their Duration of no certain Date.
 Some may proceed from Errors at the first,
 And sev'ral Cent'ries still remain in Force;
 Others creep in as the Effect of Time,
 Since what is Human's subject to decay.
 'Twere surely then no Treason here to say,
 Some Reliques yet remain of Feudal Times,
 Some Vestiges, of People fierce and rude,

Whose Manners with our own but ill accord,
 Which stigmatize this much enlighten'd Age,
 For tamely suff'ring such imperious Laws.
 Laws fram'd in Days of Barbarism; when
 The haughty Barons o'er their Vassals rul'd
 With Sway despotic; when the Minds of Men
 Were by two diff'rent passions strangely led,
 Heroic *Courage* with mean *Fear* combin'd:
 Brave in the Field, but in the Cottage base,
 They fought like Freeman, but obey'd like Slaves.
 From hence arose *Manerial* Rights! and hence
 Those Acts were pass'd, in seventh Henry's Reign,
 Which *our* just Rights invade: but these, and all
 The subsequent decrees of later times,
 For preservation of—what's call'd—the *Game*,
 Serve only to convince all Men of Sense,
 That such Decrees our Statute-books disgrace.
 Whene'er these Laws Revision undergo
 And (such indeed the Temper of the Times!)
 This can't admit of any *great* Delay,

Some may be modified for Public Good,
 Others admit of nothing but Repeal.
 By Right and Justice, where Man sows, 'tis fit
 That he should reap the same: the Recompence
 That he may claim for Industry and Toil.
 But—what the bounteous hand of Nature gives,
 Requiring neither Toil nor Care from Man,
 There Man no Claim admissible can bring
 In Reason's Court, why He sole Lord should be,
 Of what, 'tis clear, was meant for all alike.
 Let but this Reas'ning be applied to Game,
 (And sure 'tis applicable to those Laws!)
 'Twill then be evident, as Noon-day Light,
 That Lords, Knights, Lordlings, and a num'rous Train
 Of petty Nimrods, in their sev'ral Spheres,
 Are mere *Usurpers* of the Common Rights.
 'Tis true their Claim is good by ancient Use;
 They hold fair Tenures by the Civil Law;
 But Laws that have not Justice for their Base,
 Be made, by whom they may, should be annull'd.

Such were the Game Laws! fram'd to please the Men
 Whose Vassals serv'd as Soldiers to the King.
 Now surely no One will, from thence, contend
 That these Laws, like the Medes, must alter not.
 Nor can a Man of Common Sense believe,
 That God e'er meant a wild Fowl or a Fish
 Should be peculiar Food for Men of Wealth.
 Nay *Reason* says, and speaks in such plain Terms
 That all must understand, whose Minds are free
 From Prejudice, that He who tills the Ground,
 And rears the Corn on which the Game doth feed,
 (Though only farming *Tenant* of the Land,)
 Should have an equal Right to kill the same,
On his own Grounds, as He to whom belongs
 The Right of Soil; who's qualified to shoot
 Where'er he please. It may be here advanc'd,
 In opposition to so fair a clause,
 That " such a Privilege would soon destroy
 " The Game throughout the Land: that not a Bird
 Nor Hare would any where be left to breed;

“ And hence the Revenue would lose the Aid
 “ Of such an annual Sum as now is giv’n,
 “ By those who’re *licens’d* to pursue their Sports.”

Such weak objections scarce an Answer need,

Since few there are so destitute of Sense

As not to see such argument is false.

For, Why do Lords and Gentlemen appoint

Their Deputies, to guard both Fish and Fowl ?

The Reason’s twofold. First, to kill what Game

They want themselves ; and then, by Care, prevent

Those Depredations which the Laws forbid,

And seize the Snares which *Poachers* nightly use :

At whom the Farmers *now* themselves connive,

As having now no *Int’reſt* in the Game ;

Unless it be to have the whole destroy’d.

But, did the ruling Principle of SELF

Pervade the Farmer’s Breast ; would but the Law

Declare that ev’ry Yeoman shall be deem’d

The Game Preserver on his own Domains,

And have full Privilege the same to shoot,

Upon Condition that he Licence takes
 At such a Sum as heretofore was paid,
 By those whose Sports to *Manors* were confin'd;
 Or, which would be a more impartial Mode,
 The Charge proportion'd to the Farm's Extent,
 And rated so that all might have a share;
 Th' Event would be, within no distant Time,
 That Game would ev'ry where *abound*; because
 SELF INT'REST makes Men watchful of their own;
 And hence the Poacher would no Sanction find,
 No means unlawful knowingly allow'd,
 No Nets for Partridges, nor Gins for Hares.
 In fact, there's no Man hath a stronger Claim,
 Founded on *Nat'ral Right*, (the first of Laws,
 And proper Basis of each Civil Code,
 That regulates all Nations on the Globe:
 None hath a better Plea) to use his Gun,
 And hurl destruction on the Feather'd Race,
 Than what the Farmer hath. At his Expence
 They're fed: and, Damage oft accrues to Him,
 From Sportsmen ardent in Pursuit of Game.

Not so, the scaly Tenants of the Brook!
 They cost Man nothing to sustain their Lives!
 Their Growth and Increase not depend on Him,
 If left in Peace to skim along the Deep,
 Or watch for Food swift carried down the Streams,
 Nor could much Inj'ry be sustain'd, by those
 Whose verdant Meads adjoin the River-side,
 From patient Anglers who pursue *One Track*.
 Here then should no *Manerial* Rights be known!
 The River's Produce should be free to all,
 Who use *fair means* to catch the sev'ral Fish.
 For Britain's Honour, let it not be told,
 That, at a Period full of *great Events*,
 When *Pow'r oppressive* Civil War hath rais'd
 In neighb'ring States; and when the Public Mind
 Throughout all Europe feels no small Surprise
 At such Effects as those Revolts produc'd;
 Oh! let it not be told, for Honour's sake,
 (That Honour which results from *equal Laws*!)
 That any Men—however high their Rank,
 However rich,—shall, in the British Isle,

Presume to claim a sole—*exclusive*—Right
 Of Fishery, (the Distance more or less!)
 In any of those num'rous Streams which flow
 'Twixt BERWICK and PENZANCE. If such a Right
 They've hitherto enjoy'd, yet, let them learn,
 'Tis now the *proper** Time such Right should cease.
 They've had it long enough! and longer far
 Than many have deserv'd. Let all the Men
 Who rigidly assert those ancient Claims
 Where *private* Right is clearly *public* Wrong,
 Instead of Friends be deem'd their Country's Foes;
 Since such Men, by Severity ill-tim'd,
 May rouse those Tumults which they cannot quell.
 The Principle before laid down is JUST,
 That where *Man* sows there let him reap; but, where
 GOD sows, the Harvest should be unconfin'd.
 His Works are no where more distinctly seen

* The best Time to correct abuses in Government, and to produce
 Reform, is when the greatest Degree of Discontent prevails, as Mr. Erskine
 hath so ably prov'd in his popular Publication. (See P. 18, the Shilling
 Edition.)

Than in the Waters of the great Profound,
 Or those meand'ring through the fertile Plains.
 The INFERENCE quite obvious must appear
 To all whose mental Vision's unimpair'd.
 No haughty Peer, nor purse-proud Squire, should dare
 In Person, nor by Proxy, (oft more rude)
 To tell the mild Piscator, in harsh Terms,
 " *That instant* to leave off his Sport, and quit
 " The Soil whereon he stands" : nor, with proud Sneer,
 Assert, that " *Tradesmen* should be in their shops,
 " Rather than waste their Time with Rod and Line".
 (No way more innocent, none less Expence !)
 What ! are our Tradesmen then, like Carrier's Dogs
 To Waggon chain'd, never to quit their Domes ;
 Unless on Bus'ness, or for Ev'ning's Pipe
 At Tavern with a set of jovial Friends ?
 Are rural Recreations then forbid,
 By *Law Divine*, to those who're bred to Trade ?
 Must He, who earns, by Industry, the Bread
 He eats, and late and early toils—to gain

Provision for his Family, and Wealth
 To pay the num'rous Taxes now impos'd,
 That *Pensioners* and *Placemen* may exist
 In Affluence, and riot near the Court,
 Must he have no Share in the *Common* gifts
 Of our great Parent? Were they meant for Those
 Who're bred in Pride, and live in Idleness?
 For such as are *distinguish'd* from the Herd
 Of Men, much less by Nature than by Art?
 These Upstarts, render'd vain by Opulence,
 Who think, because they're rich, they must be wise,
 Perhaps may foolishly persuade themselves
 That things were so *design'd*: that God himself
 Had, in his Wisdom, long ago decreed
 This certain Law;—that Wealth, not Intellect,
 Should always rule the Conduct of the World:
 That such has been the Case from Days of old,
 And such will be till Time shall have an End.
 All *Innovators* therefore they *despise*,
 And, in the Height of Arrogance, declare

" They're Men of *evil Minds*;—with greater Pride;
 " Than those who boast of Ancestors or Wealth;
 " The *Pride of Intellect*;—who, not content
 " To see the State thus rul'd by able Men,
 " Nor any part thereof consign'd to *them*,
 " With Virulence exclaim that *all* is wrong,
 " That Ruin stares our Nation in the Face,
 " And quickly too must *come*, unless some Change
 " In Men and Measures speedily takes place:
 " For their *malignant* Hearts can nought approve
 " But what themselves prescribe: yet Men of Sense,
 " (Whate'er such Pride may urge!) will ne'er admit
 " That our Forefathers were not *full as wise*
 " As those who now pretend to know *so much*.
 " Nor is it right that Laws of ancient Date,
 " To which Experience such strong Sanction gives,
 " Should e'en be chang'd in any single Clause,
 " Much less abolish'd and be render'd null,
 " To please the Whims of Men more vain by far
 " Than Modesty allows."—In Strains like these

Will those contend, whose Tongues mere *Int'rest* guides,

Or those whom *Ignorance* makes bold, to plead

For "*all things as they are.*" With such a Dream

They may delude themselves. They'll ne'er persuade

The thinking part of Men to think Ought right,

Merely because '*twas so for Ages past.*

On such a Principle,—'twere no hard Task

To prove—the *Pope* should *still* direct our Church.

Thus might the Protestants be fairly deem'd

Rebellious subjects 'gainst their just Supreme.

Yea *thus* the Royal Race, who fill the Throne,

So far from having a well-founded Claim

Thereto, appear Usurpers of the Crown.

Mere ancient Usage is a silly Plea,

Which Hist'ry's Page will instantly refute.

The Permanence of Laws should never rest

On any other Ground than *gen'ral* Good.

All other Pleas are futile and absurd!

The Voice of Reason should alone be heard!

Falschhood can ne'er be render'd Truth by Use;

Nor a *curv'd* Line be deem'd a *straight*. The Wise,
 By purer Standards judge than *Custom's* rule,
 And, what the Vain approve, they'll oft condemn.
 No longer then let Britons vainly boast
 That they alone true Liberty enjoy.
 They know it but *in part*: nor ever will
 The Tree of Freedom bear large Crops of Fruit,
 So long as Game Laws and Manerial Rights
 Remain the same as *now* they are ; for while
 The Capture of a Feather or a Fin,
 Shall doom us to the Vengeance of the Law,
 (*Fines and Imprisonment*) in vain we talk
 Of being free. Our LIBERTY's a Name ;
 A Term that sounds harmonious on the Ear :
 Yet which, if realiz'd by pleasing Facts,
 Would make each British Heart rebound with Joy,
 Each Tongue, with rapture, honestly exclaim
 LONG LIVE THE KING, and prosp'rous be his Reign!
 But *never* may Britannia see that Day,
 When her *brave* Sons *French Principles* obey.

FINIS.

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Principal Subjects of the Poem.

A Definition of real Liberty.

The Effects of Eloquence.

Observations on the Principles of Slavery, and on the Iniquity of the
Slave Trade.

That some Men have too much Power.

The Advantages of a mixed Monarchy.

The Origin of MANERIAL Rights, and of the GAME LAWS.

Bad Laws ought to be repeal'd.

FARMERS ought to have the Privilege of killing Game on the Farms
they occupy.

Objections against such Privilege stated and refuted.

Remarks concerning FISHERIES.

Whether rural Sports (as Angling, &c.) are proper to be allowed to

TRADESMEN.

The Antiquity of Laws no convincing Proof that they ought to be
perpetuated.

In what Cases Laws should be permanent.

The present GAME LAWS evident Infringements of the Rights and Li-
berties of British Subjects.

Loyalty the natural Effect of genuine Freedom.

